

GOVERNMENT OF TELANGANA
ABSTRACT

R&B Department – Heavy Periodic Maintenance and making up of deficiencies from Km 0/0 to 16/0 of Mirylaguda-Kodad road Nalgonda District- Payment of Half of Decretal amount for decree made in O.S.No.54/2007 by 1st Prinicipal District Judge, Nalgonda- Administrative Sanction -Accorded – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.II) DEPARTMENT

G.O.RT.No. 142,

Dated:16-03-2015

Read the following:

1. From the Engineer-in-Chief(R&B)S.R&CRN, Hyderabad,
Lr.No.160/SHP/DIV-III/DEE-II/AEE-III/99, Dt.12.06.2015.
2. From the Engineer-in-Chief(R&B)S.R&CRN,Hyd.,
Lr.No.160/SHP/DIV-III/DEE-II/AEE-III/99, Dt.29.01.2015.

ORDER:

In the references read above, the Engineer-in-Chief(R&B)State Roads & CRN Hyderabad has stated that Heavy Periodic Maintenance and making up of deficiencies from Km 0/0 to 16/0 of Mirylaguda-Kodad road Nalgonda District was taken up under APERP, world bank loan Assistance and during the work execution the Executive Engineer(R&B)Q.C inspected the work and proposed a recovery of Rs.10,81,108/- towards deficiency in thickness SDBC, BM, WBM and deficiency in the Bitumen Content in the Bitumen layers. Based on the complaint of the District Collector, Nalgonda the V&E Department carried out physical inspection and proposed a recovery of Rs.10,10,906/- for the deficiency in thickness SDBC, BM, WBM and that, by considering the reports of Executive Engineer(R&B)Q.C, V&E Department, Superintending Engineer(R&B)Q.C and the Executive Engineer(R&B),APERP Division, Hyderabad, taking each kilometer as a unit and effecting only the highest recovery amount among the above three reports in each kilometer is worked out to Rs.20,45,256/-. and the contractor also received the final bill without any protest in having recovered amount of Rs.20,45,256/-

2. He has also stated that, the construction firm M/s S.Lalaiah & Co., approached the Technical expert i.e adjudicator. After hearing argument of both parties, adjudicator has ordered to recover from the Contractor. Aggrieved by the above order, the Contractor approached the Hon'ble District Court and filed suit under O.S.No.54 of 2007, the Court had directed the respondents to pay a sum of Rs.12,91,958/-(Rupees Twelve Lakhs ninety one thousand nine hundred and fifty eight only)(Rs.9,64,148/-(Principal) + Rs.3,37,810/-(Interest) to the plaintiff, with future interest @6% per annum on the principal amount form the date of filling of the suit., from 04.10.2007 till date of realization.

3. The Superintending Engineer (R&B), Karimnagar has filed the appeal filed in Hon'ble High court seeking to grant interim stay against the Judgment and Decree made in O.S No.54/2007 dt:15.03.2011. After hearing both the counsel, the division bench of High Court was pleased to grant Interim stay on condition of deposition 50% of the decretal amount together with suit costs within 2 months from the date of order.

(PTO)

4. The Engineer-in-Chief (R&B) State Roads & CRN, Hyderabad has further stated that the Superintending Engineer(R&B)Nalgonda has confirmed the correctness and calculation of the decretal amount of Rs.13,45,625/- towards share of Telangana State made in O.S.No.54/2007. He has, therefore, requested to sanction the half of decretal amount Rs.6,72,813/- of total amount Rs.13,45,625/- under the Head of Account "5054-04-MH-800-GH.11-SH(33)-530-531" and issue necessary L.O.C to deposit the same in the Hon'ble Court, as per the directions of the Hon'ble H.C of A.P in A.S.M.P No.2550/13 in A.S.No.644/11.

5. After careful examination of the matter, Government hereby accord administrative sanction for an amount of Rs.6,72,813/-(Rupees Six lakhs Sevanty two thousand Eight hundred thirteen only) towards Payment of half of total Decretal amount Rs.13,45,625/- for decree in O.S.No.54/2007, as per the directions of the Hon'ble A.P.H.C in ASMP.No.2550 of 2013 in A.S.No.644 of 2011.

6. The amount sanctioned in Para (5) above shall be met from the head of account -5054-COL on Roads & Bridges -04-District and Other Roads- MH-800-Other Expenditure -GH11-Normal State Plan-SH(33)-Corenet work roads-530-Major works-531-Other expenditure".

7. The Engineer-in-Chief (R&B) State Roads & CRN, Hyderabad, shall take further action in the matter accordingly.

8. These orders issues with the concurrence of Finance (EBS-X) Department vide their U.O.No.8103/215/A1/EBS-X/14, Dt.07/01/2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SUNIL SHARMA
SECRETARY TO GOVERNMENT

To,
The Engineer-in-Chief (R&B) State Roads, CRN & R.S.W, Hyderabad
Copy to:
The Accountant General, T.S, Hyderabad.
The Director of Works & Accounts,T.S, Hyderabad.
The P.S to M(R&B)
The P.S to Secretary to TR&B.
The Finance (EBS-X) Department.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER